



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,048	01/29/1999	JOHN PATRICK AINSWORTH	068585.00006	6852

7590

03/05/2004

JONATHAN TYLER  
KAYE SCHOLER LLP  
425 PARK AVENUE  
NEW YORK, NY 10022

EXAMINER

SHAH, SANJIV

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 03/05/2004

23

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/240,048

Applicant(s)

AINSWORTH ET AL.

Examiner

Sanjiv D. Shah

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2172

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-3, 6, 9-13, 15, 17-20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Moshfeghi et al. (Patent # 6,076,166).

Regarding claims 1, 9, 10, 15, 18 and 22, Moshfeghi et al. teaches the method of dynamically generating the user presentation as shown in fig. 2, element 38. The health care network is described in col. 1, lines 16-28.

Selecting and retrieving the rules stored in response to the request and executing the rules to retrieve data is described in col. 7, lines 20-25.

Receiving and generating the presentation data is described in col. 7, lines 28-30. Since Moshfeghi et al. teaches generating the web pages it is inherent that graphical user interface (GUI) presentation is generated at the client's terminal.

Art Unit: 2172

Regarding claims 2, 3, and 20, Moshfeghi et al. teaches the claimed invention of using rule control information for executing the rules as described in col. 6, lines 61-col. 7, lines 8.

Regarding claim 6, Moshfeghi et al. teaches the method of dynamically generating the user presentation as shown in fig. 2, element 38.

Selecting and retrieving the rules stored in response to the request and executing the rules to retrieve data is described in col. 7, lines 20-25.

Receiving and generating the presentation data is described in col. 7, lines 28-30. Since Moshfeghi et al. teaches generating the web pages it is inherent that graphical user interface (GUI) presentation is generated at the client's terminal.

In response to second request from the application program retrieving the second rule and executing the second rule and generating the presentation data is described in col. 7, lines 1-25, wherein Moshfeghi et al teaches a different set of rules which can be retrieved and executed to generate a presentation data.

Regarding claim 11, Moshfeghi et al. teaches the claimed invention of health care information network as col. 1, lines 16-20. Storing rules is described in col. 2, lines 50-51.

Art Unit: 2172

Regarding claim 12, Moshfeghi et al. et al. teaches the claimed invention of storing the rules with client information is described in col. 2, lines 43-57.

Regarding claim 13, Moshfeghi et al. teaches the claimed invention of client information consisting of client user information as described in col. 2., lines 58-63.

Regarding claim 17, Moshfeghi et al teaches the claimed invention of browser as shown in fig 1, element 14.

Regarding claim 19, Moshfeghi et al. teaches the claimed invention of visually displaying at the client, the user presentation as shown in fig. 2, element 38.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2172

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 4, 5, 7, 8, 14, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshfeghi et al (Patent # 6,076,166) in view of Yu et al. (Patent # 5,410,693)

Regarding claims 4, 5, 7, 8, 14, 16 and 21, Moshfeghi et al. teaches the claimed invention as described above with respect to claims 1, 6, 11, 15 and 18.

Moshfeghi et al. teaches a method of rule generation and generating the presentation data. However, it does not specifically teach a rule comprise a query statement or a SQL statement. Yu et al. does. Specifically Yu et al. teaches a structured query language as a set of command and syntactic rules for accessing the data as described in col. 3, lines 13-17.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to include the SQL rules as taught by Yu et al. in the method and system of Moshfeghi et al. because it enhances data security and reduces access time.

***Response to Arguments***

5. Applicant's arguments filed 12/5/2003 have been fully considered but they are not persuasive.

Applicant argues that the cited references fails to teach that the rules generated are stored in database. Examiner disagrees.

Specifically, Moshfeghi et al. teaches the rule generation in three stages as described in detail in col. 6, line 63-col. 7, lines 19, wherein of the set of rules are generated that utilize information stored on database 24, 26, and 28 as shown in fig 1 and described in col. 2, lines 26-42. Moshfeghi also further states that the generated rules for retrieving CPR is distributed in database 30 as described in col. 2, lines 43-55. It is inherent that the rules are stored in the database. Therefore applicant's arguments are not persuasive.

**6. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

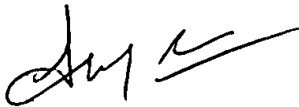
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (703) 305-8355. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sanjiv D. Shah  
Primary Examiner  
Art Unit 2176

S. Shah  
March 4, 2004